

TO: Administrator Pruitt
FROM: Office of Public Engagement
DATE: Friday, October 6, 2017
RE: Meeting with Governor Ducey; 2 Events at Arizona Manufacturers Association

AGENDA

9:00 – 9:45 Governor's Office: Welcome and introductions
9:15 – 9:30 Mock Signing Ceremony- Coronado Generating Station SIP approval,
replacing Obama-era FIP

Deliberative Process / Ex. 5

9:30 – 9:45 Governor "asks" and discussion on other cooperative federalism topics

Deliberative Process / Ex. 5

10:30 AM- 11:30 AM- Small Roundtable with Arizona Industry Leaders, Biltmore

Small Roundtable Attendees (similar "asks" as Governor):

Steve Regis	CalPortland
Charles Spell	APS
	Arizona Rock Products
Steve Trussell	Association
Kevin Lang	Southwest Gas
Glenn Hamer	Arizona Chamber
Dawn Grove	Karsten Manufacturing

Steve Macias Pivot Manufacturing
TBD Resolution Copper
TBD SRP

11:45 AM – 12:30 Luncheon Kicks Off (~300 people). You will give remarks.

MEETING WITH GOVERNOR DUCEY

Attendees:



Bio: You spoke with the Governor in August during the industry roundtable in Maricopa. Following his stint as treasurer, he was elected governor in 2015 and inherited a \$1 billion budget deficit. His first action in office was issuing a moratorium on all new regulatory rulemaking by state level agencies. Ducey has remained a staunch advocate of placing perineal and seasonal waters under state control.

Governor Doug Ducey

Misael Cabrera – ADEQ Director (Henry Darwin's successor)

Hunter Moore – Natural Resources Policy Advisor for the Governor

Richard Bark – Freeport McMorran & Chair of Environment Committee at AZ Chamber

Steve Trussel – AZ Rock Products Association

ISSUES

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Update from Henry on Permitting and Streamlining:

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- **Deliberative Process / Ex. 5**
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WOTUS in Arizona—

Deliberative Process / Ex. 5

Step One

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Step Two

Deliberative Process / Ex. 5

Deliberative Process / Ex. 5

Clean Power Plan—

- EPA is ending the “War on Coal.” Following the President’s March 2017 Energy Independence Executive Order, Administrator Pruitt signed three notices to review, and possibly rescind major economically significant rules, including the so-called Clean Power Plan **that threatens over 125,000 U.S. jobs. The proposed repeal is currently at OMB and we expect it to be proposed in the coming weeks and no later than the end of the year.**
- The Clean Power Plan (CPP) has serious legal and policy flaws. For years, energy producing states have argued that this plan is an overreach by EPA, interfering with the states’ sovereign rights. As directed by this Executive Order, EPA will review the CPP to ensure that the agency is abiding by the Clean Air Act and respecting the rule of law.
- A bipartisan majority in the 114th Congress rejected the CPP, which was promulgated under Section 111 of the Clean Air Act.
- In February 2016, the Supreme Court took the unprecedented step to stay the implementation of the CPP. The stay is for good reason as the CPP was being challenged by over 150 entities including 28 states, 24 trade associations, 37 rural electric co-ops, and 3 labor unions.
- When it comes to environmental protection, we’ve got a lot to celebrate. According to EPA, since 1980 there’s been a 65% reduction in the 6 principle pollutants under the Clean Air Act’s National Ambient Air Quality Standards program. This has occurred at the same time more Americans have used more energy and driven more cars, more miles.
- Promoting and protecting a strong and healthy environment are very important to President Trump, and EPA is vital to that mission.
- This Executive Order will help return EPA to its core mission.

Coal Combustion Residuals—

• **Deliberative Process / Ex. 5**

Deliberative Process / Ex. 5

- **Guidance:** In August 2017, EPA publicly released interim final guidance concerning its review of applications to operate state permit programs and answering questions about how it will implement the CCR provisions of the Water Infrastructure Improvements for the Nation Act (WIIN Act). The public comment period closed on September 14, 2017. To date, Georgia and Oklahoma have submitted preliminary applications for approval to operate CCR permit programs pursuant to the WIIN Act.
- **Petitions:** On May 12, 2017, the Utility Solid Waste Activities Group (USWAG) submitted a petition for rulemaking to make 11 changes to the CCR rule; AES Puerto Rico submitted a separate petition on May 31, 2017, to change one provision of the CCR rule. Although the rule went into effect in October 2015, both USWAG and AES Puerto Rico also requested EPA take action to extend the two compliance dates that had not yet passed. On September 13, 2017, the Administrator sent letters to petitioners indicating EPA would reconsider the specific provisions of the rule addressed in the petitions.

CERCLA 108 (b)

Deliberative Process / Ex. 5

- **Background:** Pursuant to a court deadline, EPA issued a proposed rule on December 1, 2016, to establish financial assurance regulations for the hardrock mining industry under CERCLA section 108(b). The public comment period closed on July 11, 2017. EPA received more than 10,000 public comments, but fewer than 500 are substantive. The majority of substantive comments are from states and the mining industry. EPA is under court deadline to take final action on the proposal no later than December 1, 2017.